

ENGROSSED HOUSE BILL No. 1130

DIGEST OF HB 1130 (Updated March 17, 2009 1:18 pm - DI 71)

Citations Affected: IC 9-24.

Synopsis: Drivers licenses. Adds provisions concerning licenses, permits, and identification cards for aliens lawfully admitted for temporary residence in the United States. Provides that if an individual is temporarily residing outside Indiana because of service in the armed forces of the United States, the individual's driver's license (which includes any type of license authorizing the operation of a motor vehicle on public streets and highways), despite expiring, remains valid for 90 days following the individual's discharge from service in the armed forces. (Current law similarly provides for a 90 day period of post-discharge validity, but it applies only to an individual's operator's license.) Makes a technical correction and corresponding changes in related sections.

Effective: July 1, 2009; January 1, 2010.

Barnes, Reske, Tincher, Ruppel

(SENATE SPONSORS — MERRITT, WYSS, BREAUX, TAYLOR)

January 12, 2009, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 16, 2009, amended, reported — Do Pass.
February 19, 2009, read second time, ordered engrossed. Engrossed.
February 23, 2009, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 24, 2009, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

March 19, 2009, amended, reported favorably — Do Pass.



First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1130

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-24-6-2, AS AMENDED BY P.L.188-200
SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIV
JANUARY 1, 2010]: Sec. 2. (a) The bureau shall adopt rules under
IC 4-22-2 to regulate persons required to hold a commercial driver
license.

- (b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49 CFR 383 through 384, and may not be more restrictive than the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 106-159, 113 Stat. 1748).
 - (c) Rules adopted under this section must include the following:
 - (1) Establishment of classes and periods of validation of commercial driver's licenses, including the period set forth in IC 9-24-12-6(e).
 - (2) Standards for commercial driver's licenses, including suspension and revocation procedures.
- (3) Requirements for documentation of eligibility for legal

6

8

9

10

11

12

13 14

15

1617

C





1	employment, as set forth in 8 CFR 274a.2, and proof of Indiana
2	residence.
3	(4) Development of written or oral tests, driving tests, and fitness
4	requirements.
5	(5) Defining the commercial driver's licenses by classification and
6	the information to be contained on the licenses, including a
7	unique identifier of the holder.
8	(6) Establishing fees for the issuance of commercial driver's
9	licenses, including fees for testing and examination.
10	(7) Procedures for the notification by the holder of a commercial
11	driver's license to the bureau and the driver's employer of
12	pointable traffic offense convictions.
13	(8) Conditions for reciprocity with other states, including
14	requirements for a written commercial driver's license test and
15	operational skills test, and a hazardous materials endorsement
16	written test and operational skills test, before a license may be
17	issued.
18	(9) Other rules necessary to administer this chapter.
19	(d) 49 CFR 383 through 384 are adopted as Indiana law.
20	SECTION 2. IC 9-24-9-2.5, AS ADDED BY P.L.184-2007,
21	SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22	JULY 1, 2009]: Sec. 2.5. In addition to the information required from
23	the applicant for a license or permit under sections 1 and 2 of this
24	chapter, the bureau shall require an applicant to present to the bureau
25	valid documentary evidence that the applicant:
26	(1) is a citizen or national of the United States;
27	(2) is an alien lawfully admitted for permanent or temporary
28	residence in the United States;
29	(3) has conditional permanent resident status in the United States;
30	(4) has an approved application for asylum in the United States or
31	has entered into the United States in refugee status;
32	(5) is an alien lawfully admitted for temporary residence in
33	the United States;
34	(5) (6) has a valid unexpired nonimmigrant visa or nonimmigrant
35	visa status for entry into the United States;
36	(6) (7) has a pending application for asylum in the United States;
37	(7) (8) has a pending or approved application for temporary
38	protected status in the United States;
39	(8) (9) has approved deferred action status; or
40	(9) (10) has a pending application for adjustment of status to that
41	of an alien lawfully admitted for permanent residence in the
42	United States or conditional permanent resident status in the



1	United States.
2	SECTION 3. IC 9-24-11-3, AS AMENDED BY P.L.184-2007,
3	SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4	JULY 1, 2009]: Sec. 3. (a) A license issued to an individual less than
5	eighteen (18) years of age is a probationary license.
6	(b) An individual holds a probationary license subject to the
7	following conditions:
8	(1) Except as provided in IC 31-37-3, the individual may not
9	operate a motor vehicle during the curfew hours specified in
10	IC 31-37-3-2.
11	(2) During the ninety (90) days following the issuance of the
12	probationary license, the individual may not operate a motor
13	vehicle in which there are passengers unless another individual
14	who:
15	(A) is at least twenty-one (21) years of age; and
16	(B) holds a valid operator's license issued under this article;
17	is present in the front seat of the motor vehicle.
18	(3) The individual may operate a motor vehicle only if the
19	individual and each occupant of the motor vehicle has a safety
20	belt properly fastened about the occupant's body at all times when
21	the motor vehicle is in motion.
22	(c) An individual who holds a probationary license issued under this
23	section may receive an operator's license, a chauffeur's license, a public
24	passenger chauffeur's license, or a commercial driver's license when the
25	individual is at least eighteen (18) years of age.
26	(d) Except as provided in subsection (e), a probationary license
27	issued under this section:
28	(1) expires at midnight of the twenty-first birthday of the holder;
29	and
30	(2) may not be renewed.
31	(e) A probationary license issued under this section to an individual
32	who complies with IC 9-24-9-2.5(5) through $\frac{1C}{1}$ 9-24-9-2.5(9)
33	IC 9-24-9-2.5(10) expires:
34	(1) at midnight one (1) year after issuance if there is no expiration
35	date on the authorization granted to the individual to remain in the
36	United States; or
37	(2) if there is an expiration date on the authorization granted to
38	the individual to remain in the United States, the earlier of the
39	following:
40	(A) At midnight of the date the authorization to remain in the
41	United States expires.
42	(B) At midnight of the twenty-first birthday of the holder.



1	SECTION 4. IC 9-24-11-5, AS AMENDED BY P.L.184-2007,
2	SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2009]: Sec. 5. (a) Except as provided in subsection (i), a
4	permit or license issued under this chapter must contain the following
5	information:
6	(1) The full legal name of the permittee or licensee.
7	(2) The date of birth of the permittee or licensee.
8	(3) The address of the principal residence of the permittee or
9	licensee.
10	(4) The hair color and eye color of the permittee or licensee.
11	(5) The date of issue and expiration date of the permit or license.
12	(6) The gender of the permittee or licensee.
13	(7) The unique identifying number of the permit or license.
14	(8) The weight of the permittee or licensee.
15	(9) The height of the permittee or licensee.
16	(10) A reproduction of the signature of the permittee or licensee.
17	(11) If the permittee or licensee is less than eighteen (18) years of
18	age at the time of issuance, the dates on which the permittee or
19	licensee will become:
20	(A) eighteen (18) years of age; and
21	(B) twenty-one (21) years of age.
22	(12) If the permittee or licensee is at least eighteen (18) years of
23	age but less than twenty-one (21) years of age at the time of
24	issuance, the date on which the permittee or licensee will become
25	twenty-one (21) years of age.
26	(13) Except as provided in subsection (b) or (c), a digital
27	photograph of the permittee or licensee.
28	(b) The following permits or licenses do not require a digital
29	photograph:
30	(1) Temporary motorcycle learner's permit issued under
31	IC 9-24-8.
32	(2) Motorcycle learner's permit issued under IC 9-24-8.
33	(c) The bureau may provide for the omission of a photograph or
34	computerized image from any other license or permit if there is good
35	cause for the omission. However, a license issued without a digital
36	photograph must include the language described in subsection (f).
37	(d) The information contained on the permit or license as required
38	by subsection (a)(11) or (a)(12) for a permittee or licensee who is less
39	than twenty-one (21) years of age at the time of issuance shall be
40	printed prominently on the permit or license.
41	(e) This subsection applies to a permit or license issued after

January 1, 2007. If the applicant for a permit or license submits



	5
1	information to the bureau concerning the applicant's medical condition,
2	the bureau shall place an identifying symbol on the face of the permit
3	or license to indicate that the applicant has a medical condition of note.
4	The bureau shall include information on the permit or license that
5	briefly describes the medical condition of the holder of the permit or
6	license. The information must be printed in a manner that alerts a
7	person reading the permit or license to the existence of the medical
8	condition. The permittee or licensee is responsible for the accuracy of
9	the information concerning the medical condition submitted under this
10	subsection. The bureau shall inform an applicant that submission of
11	information under this subsection is voluntary.
12	(f) Any license or permit issued by the state that does not require a
13	digital photograph must include the a statement "May that indicates
14	the license or permit may not be accepted by any federal agency for
15	federal identification or any other federal purpose.
16	(g) A license or permit issued by the state to an individual who:
17	(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
18	visa status for entry in the United States;
19	(2) has a pending application for asylum in the United States:

- (2) has a pending application for asylum in the United States;
- (3) has a pending or approved application for temporary protected status in the United States;
- (4) has approved deferred action status; or
- (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary license or permit. A temporary license or permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permitee's temporary status has been extended.

- (h) The bureau may adopt rules under IC 4-22-2 to carry out this section.
- (i) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

SECTION 5. IC 9-24-12-4, AS AMENDED BY P.L.184-2007, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Except as provided in subsections (b) and







EH 1130-LS 7049/DI 96+



20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

1	(c), the application for renewal of:
2	(1) an operator's license;
3	(2) a motorcycle operator's license;
4	(3) a chauffeur's license;
5	(4) a public passenger chauffeur's license; or
6	(5) an identification card;
7	under this article may be filed not more than twelve (12) months before
8	the expiration date of the license or identification card held by the
9	applicant.
10	(b) When the applicant complies with IC 9-24-9-2.5(5) through
11	IC 9-24-9-2.5(9), IC 9-24-9-2.5(10), an application for renewal of a
12	driver's license in subsection $(a)(1)$, $(a)(2)$, $(a)(3)$, or $(a)(4)$ may be filed
13	not more than one (1) month before the expiration date of the license
14	held by the applicant.
15	(c) When the applicant complies with IC 9-24-16-3.5(1)(E) through
16	IC 9-24-16-3.5(1)(I), IC 9-24-16-3.5(1)(J), an application for renewal
17	of an identification card in subsection (a)(5) may be filed not more than
18	one (1) month before the expiration date of the identification card held
19	by the applicant.
20	SECTION 6. IC 9-24-12-6, AS AMENDED BY P.L.184-2007,
21	SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22	JANUARY 1, 2010]: Sec. 6. (a) As used in this section, "good cause"
23	includes the following:
24	(1) Temporarily residing at least fifty (50) miles outside the
25	boundaries of Indiana.
26	(2) Serving in the armed forces of the United States.
27	(b) The bureau may renew a valid Indiana operator's license held by
28	an individual temporarily residing outside Indiana if the applicant does
29	the following:
30	(1) Shows good cause why the license cannot be renewed within
31	Indiana.
32	(2) Submits a completed application provided by the bureau and
33	payment of the fee required in IC 9-29-9.
34	(3) Submits a written affidavit that affirms that no source
35	document upon which the operator's license was issued has
36	changed or been altered since the prior issuance of the operator's
37	license.
38	(c) The Indiana operator's license of an individual who is
39	temporarily residing outside Indiana remains valid for thirty (30) days
40	beyond the expiration date of that license if the individual meets the
41	following conditions:



42

(1) Has applied for a renewal of the license.

1	(2) Has not been denied a renewal of the license by the bureau.
2	(d) Upon receiving an application for the renewal of an Indiana
3	operator's license from an individual temporarily residing outside
4	Indiana, the bureau shall do the following:
5	(1) Either renew or deny the renewal of the license within ten (10)
6	days.
7	(2) Notify the individual of the decision.
8	(e) When the Indiana operator's driver's license of an individual
9	who is temporarily residing outside Indiana because of service in the
0	armed forces of the United States has expired, the driver's license
.1	remains valid for ninety (90) days following the person's individual's
2	discharge from service in the armed forces or postdeployment in the
.3	armed forces. To obtain a renewed driver's license, the individual
4	must do the following:
.5	(1) Apply for a renewal of the operator's driver's license during
6	the ninety (90) day period following the individual's discharge or
.7	postdeployment in the armed forces.
. 8	(2) Show proof of the individual's discharge from service in the
9	armed forces or status as postdeployment in the armed forces
20	to the bureau when applying for the renewal.
21	An individual who held a commercial driver's license that expired
22	during service in the armed forces may renew the commercial
23	driver's license as if the commercial driver's license had not
24	expired but had remained valid during the period of service in the
25	armed forces of the United States.
26	SECTION 7. IC 9-24-12-12, AS ADDED BY P.L.184-2007,
27	SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28	JULY 1, 2009]: Sec. 12. (a) This section applies to a driver's license issued under:
29 30	(1) IC 9-24-3;
51	(1) IC 9-24-3; (2) IC 9-24-4;
52	(2) IC 9-24-4; (3) IC 9-24-5; and
3	(4) IC 9-24-8.
54	(b) A driver's license listed in subsection (a) that is issued after
35	December 31, 2007, to an applicant who complies with
66	IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) IC 9-24-9-2.5(10) expires:
57	(1) at midnight one (1) year after issuance if there is no expiration
88	date on the authorization granted to the individual to remain in the
9	United States; or
10	(2) if there is an expiration date on the authorization granted to
1	the individual to remain in the United States, the earlier of the



42

following:

1 2	(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of
3	the United States expires.
4	(B) At midnight of the birthday of the holder that occurs six
5	(6) years after the date of issuance.
6	SECTION 8. IC 9-24-16-3, AS AMENDED BY P.L.184-2007,
7	SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8	JULY 1, 2009]: Sec. 3. (a) An identification card must have the same
9	dimensions and shape as a driver's license, but the card must have
10	markings sufficient to distinguish the card from a driver's license.
11	(b) Except as provided in subsection (g), the front side of an
12	identification card must contain the expiration date of the identification
13	card and the following information about the individual to whom the
14	card is being issued:
15	(1) Full legal name.
16	(2) The address of the principal residence.
17	(3) Date of birth.
18	(4) Date of issue and date of expiration.
19	(5) Unique identification number.
20	(6) Gender.
21	(7) Weight.
22	(8) Height.
23	(9) Color of eyes and hair.
24	(10) Reproduction of the signature of the individual identified.
25	(11) Whether the individual is blind (as defined in
26	IC 12-7-2-21(1)).
27	(12) If the individual is less than eighteen (18) years of age at the
28	time of issuance, the dates on which the individual will become:
29	(A) eighteen (18) years of age; and
30	(B) twenty-one (21) years of age.
31	(13) If the individual is at least eighteen (18) years of age but less
32	than twenty-one (21) years of age at the time of issuance, the date
33	on which the individual will become twenty-one (21) years of age.
34	(14) Digital photograph of the individual.
35	(c) The information contained on the identification card as required
36	by subsection (b)(12) or (b)(13) for an individual who is less than
37	twenty-one (21) years of age at the time of issuance shall be printed
38	prominently on the permit or license.
39	(d) If the applicant for an identification card submits information to
40	the bureau concerning the applicant's medical condition, the bureau
41	shall place an identifying symbol on the face of the identification card
42	to indicate that the applicant has a medical condition of note. The



1	bureau shall include information on the identification card that briefly
2	describes the medical condition of the holder of the card. The
3	information must be printed in a manner that alerts a person reading the
4	card to the existence of the medical condition. The applicant for an
5	identification card is responsible for the accuracy of the information
6	concerning the medical condition submitted under this subsection. The
7	bureau shall inform an applicant that submission of information under
8	this subsection is voluntary.
9	(e) An identification card issued by the state that does not require a
10	digital photograph must include the a statement "May that the
11	identification card may not be accepted by any federal agency for
12	federal identification or any other federal purpose.
13	(f) An identification card issued by the state to an individual who:
14	(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
15	visa status for entry in the United States;
16	(2) has a pending application for asylum in the United States;
17	(3) has a pending or approved application for temporary protected
18	status in the United States;
19	(4) has approved deferred action status; or
20	(5) has a pending application for adjustment of status to that of an
21	alien lawfully admitted for permanent residence in the United
22	States or conditional permanent residence status in the United
23	States;
24	must be clearly identified as a temporary identification card. A
25	temporary identification card issued under this subsection may not be
26	renewed without the presentation of valid documentary evidence
27	proving that the holder of the identification card's temporary status has
28	been extended.
29	(g) For purposes of subsection (b), an individual certified as a
30	program participant in the address confidentiality program under
31	IC 5-26.5 is not required to provide the address of the individual's
32	principal residence, but may provide an address designated by the
33	office of the attorney general under IC 5-26.5 as the address of the
34	individual's principal residence.
35	SECTION 9. IC 9-24-16-3.5, AS ADDED BY P.L.184-2007
36	SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37	JULY 1, 2009]: Sec. 3.5. In addition to the information required for the
38	applicant for an identification card under section 3 of this chapter, the
39	bureau shall require an applicant to present to the bureau:
40	(1) valid documentary evidence that the applicant:
41	(A) is a citizen or national of the United States;

(B) is an alien lawfully admitted for permanent or temporary



1	residence in the United States;	
2	(C) has conditional permanent resident status in the United	
3	States;	
4	(D) has an approved application for asylum in the United	
5	States or has entered into the United States in refugee status;	
6	(E) is an alien lawfully admitted for temporary residence	
7	in the United States;	
8	(E) (F) has a valid unexpired nonimmigrant visa or	
9	nonimmigrant visa status for entry into the United States;	
10	(F) (G) has a pending application for asylum in the United	
11	States;	
12	(G) (H) has a pending or approved application for temporary	
13	protected status in the United States;	
14	(H) (I) has approved deferred action status; or	
15	(1) (J) has a pending application for adjustment of status to	
16	that of an alien lawfully admitted for permanent residence in	4
17	the United States or conditional permanent resident status in	
18	the United States; and	
19	(2) evidence of the Social Security number of the applicant. If	
20	federal law prohibits the issuance of a Social Security number to	
21	the applicant, the applicant must provide verification of the	
22	applicant's ineligibility to be issued a Social Security number.	
23	SECTION 10. IC 9-24-16-4, AS AMENDED BY P.L.184-2007,	
24	SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
25	JULY 1, 2009]: Sec. 4. (a) Except as provided in subsection (b), an	
26	identification card issued:	
27	(1) before January 1, 2006, expires on the fourth birthday of the	
28	applicant following the date of issue; and	No.
29	(2) after December 31, 2005, expires at midnight of the birthday	
30	of the holder that occurs six (6) years following the date of	
31	issuance.	
32	(b) An identification card issued under this article after December	
33	31, 2007, to an applicant who complies with section 3.5(1)(E) through	
34	$\frac{3.5(1)(1)}{3.5(1)(J)}$ of this chapter expires:	
35	(1) at midnight one (1) year after issuance, if there is no	
36	expiration date on the authorization granted to the individual to	
37	remain in the United States; or	
38	(2) if there is an expiration date on the authorization granted to	
39	the individual to remain in the United States, the earlier of the	
40	following:	
41	(A) At midnight of the date the authorization of the holder to	
42	be a legal permanent resident or conditional resident alien of	



1	the United States expires.	
2 3	(B) At midnight of the birthday of the holder that occurs six	
3 4	(6) years after the date of issuance. SECTION 11. IC 9-24-16-5, AS AMENDED BY P.L.184-2007,	
5	SECTION 11. IC 9-24-10-3, AS AMENDED BY F.L.184-2007, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE	
6	JULY 1, 2009]: Sec. 5. (a) An application for renewal of an	
7	identification card may be made not more than twelve (12) months	
8	before the expiration date of the card. However, when the applicant	
9	complies with section 3.5(1)(E) through $3.5(1)(I)$ 3.5(1)(J) of this	
10	chapter, an application for renewal of an identification card may be	1
11	filed not more than one (1) month before the expiration date of the	
12	identification card held by the applicant. A renewal application	•
13	received after the date of expiration is considered to be a new	
14	application.	
15	(b) Except as provided in subsection (e), a renewed card issued:	
16	(1) before January 1, 2006, becomes valid on the birth date of the	4
17	holder and remains valid for four (4) years; and	
18	(2) after December 31, 2005, is valid on the birth date of the	·
19	holder and remains valid for six (6) years.	
20	(c) If renewal has not been made within six (6) months after	
21	expiration, the bureau shall destroy all records pertaining to the former	
22	cardholder.	
23	(d) Renewal may not be granted if the cardholder was issued a	
24	driver's license subsequent to the last issuance of an identification card.	
25	(e) A renewed identification card issued under this article after	
26	December 31, 2007, to an applicant who complies with section	
27	3.5(1)(E) through $3.5(1)(I)$ $3.5(1)(J)$ of this chapter expires:	1
28	(1) at midnight one (1) year after issuance, if there is no	\
29	expiration date on the authorization granted to the individual to	
30	remain in the United States; or	
31	(2) if there is an expiration date on the authorization granted to	
32	the individual to remain in the United States, the earlier of the	
33	following:	
34	(A) At midnight of the date the authorization of the holder to	
35	be a legal permanent resident or conditional resident alien of	
36	the United States expires.	
37	(B) At midnight of the birthday of the holder that occurs six	
38	(6) years after the date of issuance.	



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1130, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 2 through 3 with "[EFFECTIVE JANUARY 1, 2010]".

Page 1, delete lines 1 through 6.

Page 3, line 18, delete "." and insert "or postdeployment in the armed forces.".

Page 3, line 21, delete "." and insert "or postdeployment in the armed forces.".

Page 3, line 23, after "forces" insert "or status as postdeployment in the armed forces".

Page 3, delete lines 24 through 31, begin a new line blocked left and insert:

"An individual who held a commercial driver's license that expired during service in the armed forces may renew the commercial driver's license as if the commercial driver's license had not expired but had remained valid during the period of service in the armed forces of the United States."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1130 as introduced.)

TINCHER, Chair

Committee Vote: yeas 9, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1130, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert: "SECTION 2. IC 9-24-9-2.5, AS ADDED BY P.L.184-2007, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.5. In addition to the information required from

EH 1130-LS 7049/DI 96+



C







the applicant for a license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant:

- (1) is a citizen or national of the United States;
- (2) is an alien lawfully admitted for permanent or temporary residence in the United States;
- (3) has conditional permanent resident status in the United States;
- (4) has an approved application for asylum in the United States or has entered into the United States in refugee status;

(5) is an alien lawfully admitted for temporary residence in the United States;

- (5) (6) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;
- (6) (7) has a pending application for asylum in the United States; (7) (8) has a pending or approved application for temporary protected status in the United States;
- (8) (9) has approved deferred action status; or
- (9) (10) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

SECTION 3. IC 9-24-11-3, AS AMENDED BY P.L.184-2007, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

- (b) An individual holds a probationary license subject to the following conditions:
 - (1) Except as provided in IC 31-37-3, the individual may not operate a motor vehicle during the curfew hours specified in IC 31-37-3-2.
 - (2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless another individual who:
 - (A) is at least twenty-one (21) years of age; and
 - (B) holds a valid operator's license issued under this article; is present in the front seat of the motor vehicle.
 - (3) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle has a safety belt properly fastened about the occupant's body at all times when the motor vehicle is in motion.
 - (c) An individual who holds a probationary license issued under this













section may receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age.

- (d) Except as provided in subsection (e), a probationary license issued under this section:
 - (1) expires at midnight of the twenty-first birthday of the holder; and
 - (2) may not be renewed.
- (e) A probationary license issued under this section to an individual who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) IC 9-24-9-2.5(10) expires:
 - (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
 - (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
 - (A) At midnight of the date the authorization to remain in the United States expires.
 - (B) At midnight of the twenty-first birthday of the holder.

SECTION 4. IC 9-24-11-5, AS AMENDED BY P.L.184-2007, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) Except as provided in subsection (i), a permit or license issued under this chapter must contain the following information:

- (1) The full legal name of the permittee or licensee.
- (2) The date of birth of the permittee or licensee.
- (3) The address of the principal residence of the permittee or licensee.
- (4) The hair color and eye color of the permittee or licensee.
- (5) The date of issue and expiration date of the permit or license.
- (6) The gender of the permittee or licensee.
- (7) The unique identifying number of the permit or license.
- (8) The weight of the permittee or licensee.
- (9) The height of the permittee or licensee.
- (10) A reproduction of the signature of the permittee or licensee.
- (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates on which the permittee or licensee will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age.
- (12) If the permittee or licensee is at least eighteen (18) years of



C





- age but less than twenty-one (21) years of age at the time of issuance, the date on which the permittee or licensee will become twenty-one (21) years of age.
- (13) Except as provided in subsection (b) or (c), a digital photograph of the permittee or licensee.
- (b) The following permits or licenses do not require a digital photograph:
 - (1) Temporary motorcycle learner's permit issued under IC 9-24-8.
 - (2) Motorcycle learner's permit issued under IC 9-24-8.
- (c) The bureau may provide for the omission of a photograph or computerized image from any other license or permit if there is good cause for the omission. However, a license issued without a digital photograph must include the language described in subsection (f).
- (d) The information contained on the permit or license as required by subsection (a)(11) or (a)(12) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the permit or license.
- (e) This subsection applies to a permit or license issued after January 1, 2007. If the applicant for a permit or license submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the permit or license to indicate that the applicant has a medical condition of note. The bureau shall include information on the permit or license that briefly describes the medical condition of the holder of the permit or license. The information must be printed in a manner that alerts a person reading the permit or license to the existence of the medical condition. The permittee or licensee is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.
- (f) Any license or permit issued by the state that does not require a digital photograph must include the a statement "May that indicates the license or permit may not be accepted by any federal agency for federal identification or any other federal purpose.
 - (g) A license or permit issued by the state to an individual who:
 - (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
 - (2) has a pending application for asylum in the United States;
 - (3) has a pending or approved application for temporary protected status in the United States;
 - (4) has approved deferred action status; or









(5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States:

must be clearly identified as a temporary license or permit. A temporary license or permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permitee's temporary status has been extended.

- (h) The bureau may adopt rules under IC 4-22-2 to carry out this section.
- (i) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

SECTION 5. IC 9-24-12-4, AS AMENDED BY P.L.184-2007, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Except as provided in subsections (b) and (c), the application for renewal of:

- (1) an operator's license;
- (2) a motorcycle operator's license;
- (3) a chauffeur's license;
- (4) a public passenger chauffeur's license; or
- (5) an identification card;

under this article may be filed not more than twelve (12) months before the expiration date of the license or identification card held by the applicant.

- (b) When the applicant complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9), IC 9-24-9-2.5(10), an application for renewal of a driver's license in subsection (a)(1), (a)(2), (a)(3), or (a)(4) may be filed not more than one (1) month before the expiration date of the license held by the applicant.
- (c) When the applicant complies with IC 9-24-16-3.5(1)(E) through IC 9-24-16-3.5(1)(I), IC 9-24-16-3.5(1)(J), an application for renewal of an identification card in subsection (a)(5) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant."

Page 3, after line 25, begin a new paragraph and insert:

"SECTION 7. IC 9-24-12-12, AS ADDED BY P.L.184-2007, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

EH 1130—LS 7049/DI 96+



C







JULY 1, 2009]: Sec. 12. (a) This section applies to a driver's license issued under:

- (1) IC 9-24-3;
- (2) IC 9-24-4;
- (3) IC 9-24-5; and
- (4) IC 9-24-8.
- (b) A driver's license listed in subsection (a) that is issued after December 31, 2007, to an applicant who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) IC 9-24-9-2.5(10) expires:
 - (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
 - (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
 - (A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.
 - (B) At midnight of the birthday of the holder that occurs six(6) years after the date of issuance.
- SECTION 8. IC 9-24-16-3, AS AMENDED BY P.L.184-2007, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.
- (b) Except as provided in subsection (g), the front side of an identification card must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:
 - (1) Full legal name.
 - (2) The address of the principal residence.
 - (3) Date of birth.
 - (4) Date of issue and date of expiration.
 - (5) Unique identification number.
 - (6) Gender.
 - (7) Weight.
 - (8) Height.
 - (9) Color of eyes and hair.
 - (10) Reproduction of the signature of the individual identified.
 - (11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).
 - (12) If the individual is less than eighteen (18) years of age at the



C





time of issuance, the dates on which the individual will become:

- (A) eighteen (18) years of age; and
- (B) twenty-one (21) years of age.
- (13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.
- (14) Digital photograph of the individual.
- (c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the permit or license.
- (d) If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.
- (e) An identification card issued by the state that does not require a digital photograph must include the a statement "May that the identification card may not be accepted by any federal agency for federal identification or any other federal purpose.
 - (f) An identification card issued by the state to an individual who:
 - (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
 - (2) has a pending application for asylum in the United States;
 - (3) has a pending or approved application for temporary protected status in the United States;
 - (4) has approved deferred action status; or
 - (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has





been extended.

(g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

SECTION 9. IC 9-24-16-3.5, AS ADDED BY P.L.184-2007, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3.5. In addition to the information required for the applicant for an identification card under section 3 of this chapter, the bureau shall require an applicant to present to the bureau:

- (1) valid documentary evidence that the applicant:
 - (A) is a citizen or national of the United States;
 - (B) is an alien lawfully admitted for permanent or temporary residence in the United States;
 - (C) has conditional permanent resident status in the United States;
 - (D) has an approved application for asylum in the United States or has entered into the United States in refugee status;
 - (E) is an alien lawfully admitted for temporary residence in the United States;
 - (E) (F) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;
 - (F) (G) has a pending application for asylum in the United States;
 - (G) (H) has a pending or approved application for temporary protected status in the United States;
 - (H) (I) has approved deferred action status; or
 - (I) (J) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; and
- (2) evidence of the Social Security number of the applicant. If federal law prohibits the issuance of a Social Security number to the applicant, the applicant must provide verification of the applicant's ineligibility to be issued a Social Security number.

SECTION 10. IC 9-24-16-4, AS AMENDED BY P.L.184-2007, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Except as provided in subsection (b), an identification card issued:

(1) before January 1, 2006, expires on the fourth birthday of the

C





- applicant following the date of issue; and
- (2) after December 31, 2005, expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.
- (b) An identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(E) through 3.5(1)(I) 3.5(1)(J) of this chapter expires:
 - (1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or
 - (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
 - (A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.
 - (B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

SECTION 11. IC 9-24-16-5, AS AMENDED BY P.L.184-2007, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) An application for renewal of an identification card may be made not more than twelve (12) months before the expiration date of the card. However, when the applicant complies with section 3.5(1)(E) through 3.5(1)(I) 3.5(1)(J) of this chapter, an application for renewal of an identification card may be filed not more than one (1) month before the expiration date of the identification card held by the applicant. A renewal application received after the date of expiration is considered to be a new application.

- (b) Except as provided in subsection (e), a renewed card issued:
 - (1) before January 1, 2006, becomes valid on the birth date of the holder and remains valid for four (4) years; and
 - (2) after December 31, 2005, is valid on the birth date of the holder and remains valid for six (6) years.
- (c) If renewal has not been made within six (6) months after expiration, the bureau shall destroy all records pertaining to the former cardholder.
- (d) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.
- (e) A renewed identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(E) through 3.5(1)(I) 3.5(1)(J) of this chapter expires:

EH 1130—LS 7049/DI 96+











- (1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or
- (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
 - (A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.
 - (B) At midnight of the birthday of the holder that occurs six
 - (6) years after the date of issuance.".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1130 as printed February 17, 2009.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.



